

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF

MARK F. DURFEE,

Plaintiff,

v.

SUMMONS IN A CIVIL CASE

CASE NUMBER: 08-2977 (KSH)

EQUINOX CAPITAL III, L.P.,
EQUINOX CAPITAL SBIC, L.P.,
EQUINOX PARTNERS III, LLC,
EQUINOX SBIC PARTNERS, LLC,
EQUINOX CAPITAL, INC.,
EQUINOX SMU MANAGEMENT, LLC,
EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
EIC Acquisition Corp.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in this complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

FD-204 (Rev. 8-01) Summons in a Civil Action
WILLIAM T. WALSH

CLERK



(By) DEPUTY CLERK

DATE

6/23/2008

RETURN OF SERVICE

Service of the Summons and complaint was made by me⁽¹⁾

DATE

NAME OF SERVER (PRINT)

TITLE

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Return unexecuted:

☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL

SERVICES

TOTAL

\$0.00

¹ As to whom to serve a summons see Rule 4 of the Federal Rules of Civil Procedure

AO 440 (Rev. 8/01) Summons in a Civil Action

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF _____

MARK F. DURFEE,

Plaintiff,

V.

SUMMONS IN A CIVIL CASE

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EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
EIC Holding, Inc.
63 Walnut St.
Gardner, Massachusetts 01440

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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WILLIAM T. WALSH

CLERK

(By) DEPUTY CLERK

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EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
EIC SMU Acquisition Corp.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
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Morristown, NJ 07962

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WILLIAM T. WALSH

Docket Entry 40155 Summary of Civil Action

CLERK



(By) DEPUTY CLERK

DATE

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SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
Equinox Capital III, L.P.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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Form 440 (Rev. 8/05) to be used in a Civil Action
WILLIAM T. WALSH

CLERK


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6/23/2008

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UNITED STATES DISTRICT COURT
DISTRICT OF _____

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Plaintiff,

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EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
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EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
Equinox Capital SBIC, L.P.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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FD-140 (Rev. 8/00) Use only in a Civil Action
WILLIAM T. WALSH

CLERK

DATE

6/23/2008


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EIC HOLDING, INC.,
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and STEVEN C. RODGER,

Defendants.

To:
Equinox Capital, Inc.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
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Morristown, NJ 07962

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U.S. District Court for the District of Columbia
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CLERK

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6/23/2008

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DISTRICT OF _____

MARK F. DURFEE,

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EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:

Equinox EIC Management, LLC
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962


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AC 406 (Rev. 8/07) Summons in a Civil Action
WILLIAM T. WALSH

CLERK

DATE

6/23/2008


 (By) DEPUTY CLERK

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TRAVEL

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TOTAL

\$0.00

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AO 440 (Rev. 8/01) Summons in a Civil Action

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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF

MARK F. DURFEE,

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v.

SUMMONS IN A CIVIL CASE

CASE NUMBER:

08-2977(KSH)

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SMU ACQUISITION CORP.,
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EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
Equinox EIC Partners, LLC
41 Putnam Avenue
Greenwich, Connecticut 06830

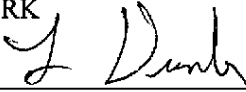
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Rev. 8/01 Summons a Civil Acti
WILLIAM T. WALSH

CLERK



(By) DEPUTY CLERK

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MARK F. DURFEE,

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Defendants.

To:

Equinox Partners III, LLC
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
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and STEVEN C. RODGER,

Defendants.

To:
Equinox SBIC Partners III, LLC
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

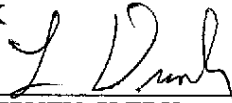
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U.S. District Court for the District of Columbia (Rev. 8/11/07 Summons in a Civil Action)

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CLERK



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41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in this complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Rev. 3/01 Summons in a Civil Action
WILLIAM T. WALSH

CLERK



(By) DEPUTY CLERK

DATE

6/23/2008

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾		DATE
NAME OF SERVER (PRINT)		TITLE
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served:		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Return unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00

¹ As to whom may serve a summons see Rule 4 of the Federal Rules of Civil Procedure

AO 440 (Rev. 8/01) Summons in a Civil Action

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF

MARK F. DURFEE,

Plaintiff,

V.

SUMMONS IN A CIVIL CASE

CASE NUMBER:

08-2977 (KSH)

EQUINOX CAPITAL III, L.P.,
EQUINOX CAPITAL SBIC, L.P.,
EQUINOX PARTNERS III, LLC,
EQUINOX SBIC PARTNERS, LLC,
EQUINOX CAPITAL, INC.,
EQUINOX SMU MANAGEMENT, LLC,
EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
Equinox SMU Partners, LLC
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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U.S. District Court for the District of Columbia
 (Rev. 8/01) Summons in Civil Action
WILLIAM T. WALSH

CLERK

DATE

6/23/2008


 (By) DEPUTY CLERK

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☐ Return unexecuted:☐ Other (specify):**STATEMENT OF SERVICE FEES**

TRAVEL

SERVICES

TOTAL

\$0.00

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AO 440 (Rev. 8/01) Summons in a Civil Action

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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF _____

MARK F. DURFEE,

Plaintiff,

V.

SUMMONS IN A CIVIL CASE

CASE NUMBER:

08-2977(KSH)

EQUINOX CAPITAL III, L.P.,
EQUINOX CAPITAL SBIC, L.P.,
EQUINOX PARTNERS III, LLC,
EQUINOX SBIC PARTNERS, LLC,
EQUINOX CAPITAL, INC.,
EQUINOX SMU MANAGEMENT, LLC,
EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
SMU Acquisition Corp.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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AD-407 (Rev. 8/01) Summons in Civil Action

WILLIAM T. WALSH

CLERK

DATE

6/23/2008

(By) DEPUTY CLERK

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TRAVEL

SERVICES

TOTAL

\$0.00

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AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT
DISTRICT OF

MARK F. DURFEE,

Plaintiff,

V.

SUMMONS IN A CIVIL CASE

CASE NUMBER:

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EQUINOX SBIC PARTNERS, LLC,
EQUINOX CAPITAL, INC.,
EQUINOX SMU MANAGEMENT, LLC,
EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
SMU Holdings, Inc.
41 Putnam Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962


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Order of Civ. 4/01 S. and Civ. Action
WILLIAM T. WALSH

CLERK

DATE

6/23/2008


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UNITED STATES DISTRICT COURT
DISTRICT OF

MARK F. DURFEE,

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CASE NUMBER:

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EQUINOX SMU MANAGEMENT, LLC,
EQUINOX SMU PARTNERS, LLC,
SMU HOLDINGS, INC.,
SMU ACQUISITION CORP.,
EQUINOX EIC MANAGEMENT LLC,
EQUINOX EIC PARTNERS, LLC,
EIC ACQUISITION CORP.,
EIC HOLDING, INC.,
EIC SMU ACQUISITION CORP.
and STEVEN C. RODGER,

Defendants.

To:
Steven C. Rodger
623 Lake Avenue
Greenwich, Connecticut 06830

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY:

Thomas P. Scrivo, Esq.
McELROY, DEUTSCH, MULVANEY & CARPENTER, LLP
1300 Mount Kemble Avenue, P.O. Box 2075
Morristown, NJ 07962

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WILLIAM T. WALSH
JOHN F. Kennedy School of Government, Harvard University

CLERK

DATE

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